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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/664,357 | 09/20/2003 | Craig A. Rosen | PS901 |

22195
HUMAN GENOME SCIENCES INC
INTELLECTUAL PROPERTY DEPT.
14200 SHADY GROVE ROAD
ROCKVILLE, MD 20850

CONFIRMATION NO. 5455

FORMALITIES LETTER



OC000000016195166

Date Mailed: 06/06/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

To Download Patent Software, visit <http://www.uspto.gov/web/patents/software.htm>

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

07/21/2005 JADD01 00000075 083425 1064357

01 FC:1051

130.00 DA

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

B. Haldewald
Office of Initial Patent Examination (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



HUMAN GENOME SCIENCES, INC.

PLEASE HOLD FOR
SERIAL NUMBER

Please date stamp and return to addressee

Application of: Rosen et al.

Docket No.: PS901

Express Mail Label No. EH853035082US Dated: September 20, 2003

Title: 251 Human Secreted Proteins

Filed: Concurrently Herewith

RECEIVED

SEP 30 2003

Documents Filed Via Express Mail on September 20, 2003

HGS PATENT DEPT.

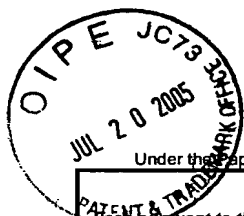
22151 U.S. PTO

10/664357



09/20/03

1. Return Receipt Postcard
2. Serial Number Postcard to be stamped and returned
3. Fee Transmittal Sheet, charging \$906 to deposit account (in duplicate)
4. Utility Application Transmittal Letter (1 page)
5. Specification (1752 pp total: 24 claims (4pps), abstract (1 page))
6. Unexecuted Declaration for Utility Patent Application with ADS (2 pages)
7. Application Data Sheet (35 pages)
8. Statement under 37 C.F.R. § 1.821 and Transmittal Letter under 37 C.F.R. § 1.52 w/ copy of Sequence Listing in paper (707 pp) and computer readable form (1 copy of CD-R disk).



PTO/SB/17 (12-04v2)

Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|--|--|--------------------------|------------------------|
| FEE TRANSMITTAL For FY 2005 | | Complete if Known | |
| | | Application Number | 10/664,357-Conf. #5455 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Filing Date | September 20, 2003 |
| | | First Named Inventor | Craig A. Rosen |
| | | Examiner Name | Not Yet Assigned |
| TOTAL AMOUNT OF PAYMENT | | Art Unit | 1653 |
| (\$) | | Attorney Docket No. | PS901 |
| 130.00 | | | |

METHOD OF PAYMENT (check all that apply)

| | | | | |
|---|---|--------------------------------------|-------------------------------|---|
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit Card | <input type="checkbox"/> Money Order | <input type="checkbox"/> None | <input type="checkbox"/> Other (please identify): _____ |
| <input checked="" type="checkbox"/> Deposit Account | Deposit Account Number: <u>08-3425</u> Deposit Account Name: <u>Human Genome Sciences, Inc.</u> | | | |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | | | | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee | | | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments | | | |

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 200 | 100 |
| Multiple dependent claims | 360 | 180 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | |
|---------------|--------------|----------|---------------|---------------------------|---------------|
| | | | | Fee (\$) | Fee Paid (\$) |
| - | = | x | = | | |
| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | | |
| - | = | x | = | | |

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | /50 | (round up to a whole number) x | = | |

4. OTHER FEE(S)

| | Fees Paid (\$) |
|---|----------------|
| Non-English Specification, \$130 fee (no small entity discount) | |
| Other (e.g., late filing surcharge): <u>1051 Surcharge-Late oath or declaration</u> | 130.00 |

| | | | |
|---------------------|------------------------|-----------------------------------|------------------|
| SUBMITTED BY | | | |
| Signature | <u>Doyle A. Siever</u> | Registration No. (Attorney/Agent) | 47,088 |
| Name (Print/Type) | Doyle A. Siever | Telephone | (301) 354-3932 |
| | | Date | <u>7/20/2005</u> |



Docket No.: PS901

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Rosen et al.

Confirmation No.: 5455

Application No.: 10/664,357

Art Unit: 1653

Filed: September 20, 2003

Examiner: Not Yet Assigned

For: 251Human Secreted Proteins

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed June 6, 2005, Applicants respectfully submit an executed Declaration and Power of Attorney and Part 2 Copy of Notice to File Missing Parts.

The Notice to File Missing Parts also indicated that a copy of the Sequence Listing in computer readable form has not been submitted. Applicants respectfully contend, however, that this statement has apparently been made in error. Applicants did, in fact, submit a Sequence Listing in computer readable form (along with a paper copy) when the present application was filed on September 20, 2003. In evidence of this assertion, Applicants submit herewith a copy of the date-stamped postcard (dated 09/20/2003) indicating USPTO receipt of the Sequence Listing in computer readable form (1 copy of CD-R disk). Should the Office require re-submission of a copy of the Sequence Listing in computer readable form (CRF), Applicants will gladly provide another CRF upon request.

Please charge our Deposit Account No. 08-3425 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f). Please charge any additional fees due, or credit any overpayment, to our Deposit Account No. 08-3425. If a fee is required for an extension of time

Application No.: 10/664,357

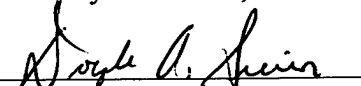
Docket No.: PS901

under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

Dated: July 20, 2005

Respectfully submitted,

By


Doyle A. Siever

Registration No.: 47,088

HUMAN GENOME SCIENCES, INC.

Intellectual Property Dept.

14200 Shady Grove Road

Rockville, Maryland 20850

(301) 354-3932

KKH/DAS/mr